

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, August 23, 2010
5:45 P.M.

Invocation by Reverend Jeri Wilkerson, First United Methodist Church of Mesa.

Pledge of Allegiance.

Mayor's Welcome.

Awards, Recognitions and Announcements.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

MESA CITY COUNCIL
August 23, 2010
Page 2

1. Take action on all consent agenda items.

Items on the Consent Agenda

- *2. Approval of minutes of previous meetings as written.

3. Take action on the following liquor license applications:

- *3a. AZ Center for Germanic Cultures Inc

This is a one day charitable event to be held on Saturday, December 4, 2010 from 11:00 a.m. to 9:00 p.m. at 1 N. MacDonald Street. **(District 4)**

- *3b. GEMDEMS

This is a one day Political Party event to be held on Saturday, September 25, 2010 from 4:00 p.m. to 8:00 p.m. at 2359 S. Dobson Road. **(District 3)**

- *3c. Neighborhood Economic Development Corporation

This is a one day civic event to be held on Friday, September 3, 2010 from 6:00 p.m. to 10:00 p.m. at 1 to 270 W. Main Street. **(District 4)**

- *3d. Neighborhood Economic Development Corporation

This is a one day civic event to be held on Friday, October 1, 2010 from 6:00 p.m. to 10:00 p.m. at 1 to 270 W. Main Street. **(District 4)**

- *3e. M&M Mart

New Beer & Wine Store License for M&M Mart, 1155 S. Country Club Drive, Rakesh Chawla, Individual. This location presently has a Beer & Wine Store License held by Parminder S. Kaler that will revert back to the State. **(District 4)**

MESA CITY COUNCIL
August 23, 2010
Page 3

*3f. Shell 77

New Beer & Wine Store License for Shell 77, 461 N. Val Vista Drive, Carioca Company – Randy D. Nations, Agent. The previous Beer & Wine Store License held at this location by Albertson's LLC was surrendered to the State on January 9, 2009. **(District 2)**

*3g. Carbajal's Mexican Food

New Restaurant License for Carbajal's Mexican Food, 7302 E. Main Street, Suite 3, Carbajal's Mexican Food LLC – Marina Armendariz Carbajal, Agent. This is an existing building with no previous liquor license at this location. **(District 5)**

*3h. Chicken Noodle House

New Restaurant License for Chicken Noodle House, 66 S. Dobson Road, Suite 107, Chicken Noodle House LLC – Laurence Edward Elliget, Agent. This location presently has a Restaurant License held under Mylynn Cafe LLC that will revert back to the State. **(District 3)**

*3i. J&J Devine Restaurant Group

New Restaurant License for J&J Devine Restaurant Group, 2235 S. Power Road, Suite 127, J&J Devine Restaurant Group LLC – Randy D. Nations, Agent. The previous Restaurant License held at this location by Bullwinkles LLC became inactive with the State on March 31, 2010. **(District 6)**

*3j. La Cascada Mexican Food

New Restaurant License for La Cascada Mexican Food, 540 W. Broadway Road, Suite 101-102, Mirella E. Ahumada Cabrera, Individual. This location presently has a Restaurant License held under Belinda L. Dominquez that will revert back to the State. **(District 4)**

MESA CITY COUNCIL
August 23, 2010
Page 4

*3k. Mekong Palace

New Restaurant License for Mekong Palace, 66 S. Dobson Road, Suite 120, Mekong Palace LLC – Lawrence Edward Elliget, Agent. This will be a newly constructed restaurant. **(District 3)**

*3l. On the Border

New Restaurant License for On the Border, 1710 S. Power Road, OTB Acquisition LLC – Clare Hollie Abel, Agent. This location presently has a Restaurant License held under Brinker Restaurant Corporation that will revert back to the State. **(District 6)**

*3m. Roma Cafe Ristorante

New Restaurant License for Roma Cafe Ristorante, 7210 E. Main Street, Gaeta Foods LLC – Anthony Magliozzi, Agent. This is an existing building with no previous liquor license at this location. **(District 5)**

*3n. Tilted Kilt

New Restaurant License for Tilted Kilt, 1910 S. Gilbert Road, Mesa Roadhouse LLC – Randy D. Nations, Agent. This location presently has a Restaurant License held under SBIG TKG LLC that will revert back to the State. **(District 4)**

4. Take action on the following bingo application:

*4a. BINGO – CLASS A

Hometown Crescent Run **(District 6)**
Barbara Stearns
8500 E. Southern Ave
Mesa, AZ 85209

MESA CITY COUNCIL
August 23, 2010
Page 5

5. Take action on the following contracts:

- *5a. Purchase of (23) Replacement 69kV Transmission Poles for the Energy Resources Department (Fully Funded by Capital Improvement Program, Utility Revenue Bonds) **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Sanpec, Inc. at \$118,258.27 for the purchase.

- *5b. Renewal of the Term Supply Contract for Automotive Lubricant and Oil Products for the Fire and Fleet Services Departments **(Citywide)**

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Brown Evans Distributing Company, a Mesa business, at \$242,000, based on estimated annual purchases.

- *5c. Term Contract for Fire Protective Clothing for the Fire Department **(Citywide)**

The Purchasing Division recommends awarding the contract to the highest scored proposal, United Fire Equipment Company at \$100,000 annually, based on estimated requirements.

- *5d. Term Contract for Heavy Duty Truck Brake and Wheel Parts for the Fleet Services Department **(Citywide)**

The Purchasing Division recommends awarding the contract to the lowest, responsive and responsible bidder, Westpac Heavy Duty, Inc., dba C. W. Carter Co. at \$146,570.44 annually, based on estimated requirements.

- *5e. Dollar Limit Increases for Various Potable Water Treatment Chemicals for the Water Resources Department **(Citywide)**

The Purchasing Division recommends increasing the dollar limit of the contract with General Chemical Performance Products LLC by \$79,000; Norit Americas, Inc. by \$212,000; and Univar USA Inc. by \$159,000. The combined total of these increases is \$450,000.

MESA CITY COUNCIL
August 23, 2010
Page 6

*5f. Renewal of the Term Contract for Printed Utility Bill Coupons
for the Mail & Print Services Division **(Citywide)**

The Purchasing Division recommends renewing the contract with Century Graphics, Inc. at \$34,593.45, including applicable sales tax.

*5g. Aging Wastewater Line Replacement, El Dorado and
Guadalupe Road **(District 3)**

City Project No. 05-061-001. This project will replace the existing 8-inch diameter wastewater line in Guadalupe Road along the El Dorado alignment.

Recommend award to the low bidder, Standard Construction Company, Inc., in the amount of \$71,450.00, plus an additional \$7,145.00 (10% allowance for change orders) for a total award of \$78,595.00. Funding is available in the FY 10/11 Wastewater Bond Capital Program.

*5h. Install Bus Shelters **(District 1, 2, 3, and 4)**

City Project No. 06-047-001. This project will install seven (7) shelters at high use bus stops that do not currently have shelters. Benches and waste receptacles will be provided at two locations where right of way does not exist for a complete shelter installation.

Recommend award to the low bidder, HW Johnson Concrete Construction LLC, in the amount of \$131,785.00, plus an additional \$13,178.50 (10% allowance for change orders) for a total award of \$144,963.50. Funding is available in the FY 10/11 Mass Transit Capital Budget.

MESA CITY COUNCIL
August 23, 2010
Page 7

- *5i. Rehabilitate Southern Avenue Wastewater Line, west on Southern Avenue from Horne to the Tempe Canal **(District 3 and 4) – Deleted.**

6. Take action on the following resolutions:

- *6a. Approving and authorizing the City Manager to execute a Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration (DEA) to accept funds up to \$51,606.75. Funds will be used to reimburse the Police Department for overtime for three officers assigned to the DEA Phoenix Task Force.
- *6b. Approving and authorizing the City Manager to execute a Task Force Agreement with the United States Department of Justice, Drug Enforcement Administration (DEA) to accept funds up to \$17,202.25. Funds will be used to reimburse the Police Department for overtime for one officer assigned to the DEA Tactical Diversion Task Force.
- *6c. Endorsing Management Policy No. 358 establishing a Meet and Confer process for sworn public safety employee groups as revised.

7. Introduction of the following ordinances and setting August 30, 2010, as the date of public hearing on these ordinances:

- *7a. Amending §11-18-8 of the zoning ordinance to allow notice of a proposed rezoning amendment to occur through either posting of a site, or through a newspaper advertisement for publically initiated zoning cases. This amendment would still require private landowners seeking rezoning to post notice at a site and placement of legal notice in the newspaper.

P&Z Recommendation: Adoption. (Vote: 6 – 0, Boardmember Arnett absent)

MESA CITY COUNCIL
August 23, 2010
Page 8

- *7b. **Z10-02 (District 6)** 11464 East Germann Road. Located on the west side of the Meridian Road alignment, between Pecos Road and Germann Road (229± acres) Modification of Ordinance #4870. This request will allow the phasing of development on the site. CMC Steel owner. Andrew Sarat, applicant.

P&Z Recommendation: Approval with Conditions.
(Vote 7 – 0)

- *7c. **Z10-19 (District 6)** 5850 East Still Circle. Located on the south side of the Superstition Freeway and east of Recker Road. Council Use Permit. This request will allow the development of a Freeway Landmark Monument Sign for A.T. Still University. Monica L. Harrison, owner; James Carpentier, applicant. (PLN2010-00131)

P&Z Recommendation: Approval with Conditions.
(Vote: 6 – 0, Boardmember Arnett absent)

DRB Recommendation: Approval with Conditions.
(Vote 5 – 0, Boardmember LeSueur absent)

8. Take action on the following subdivision plat(s):

- *8a. **“TROVITA ESTATES PHASE I” (District 2)** – 915 North Val Vista Drive. Located north and east of Adobe Street and Val Vista Drive. 55 R1-15 PAD lots. (39.1± ac.) Taylor Morrison/Arizona, Inc., owner; Joe Kraft, EPS Group, Inc., surveyor.

- *9. Assign delinquent accounts to collection services for the three-month period ending June 30, 2010, totaling \$539,299.

Items not on the Consent Agenda

10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).